

UNOFFICIAL COPY

98949287

2481/0127 03 001 Page 1 of 9

1998-10-22 10:01:51

Cook County Recorder 37.00



This document prepared by and after recording return to:
Mary B. Koberstein
Sachnoff & Weaver, Ltd.
30 South Wacker Drive
Chicago, Illinois 60606

**FIRST AMENDMENT TO DECLARATION OF EASEMENTS,
RESTRICTIONS, AND COVENANTS FOR
ALTGELD CLUB HOMEOWNERS ASSOCIATION**

This First Amendment ("First Amendment") to the Declaration of Easements, Restrictions, and Covenants for Altgeld Club Homeowners Association ("Declaration") is made and entered into as of this 31st day of July, 1998, by Dan Melk Development/MCL Fullerton Altgeld L.P., an Illinois limited partnership ("Owner").

WHEREAS, the Owner made and entered into the Declaration, dated May 13, 1998, which Declaration was recorded with the Recorder of Deeds of Cook County, Illinois, on May 18, 1998, as Document No. 98410713; and

WHEREAS, the Owner is the owner in fee simple of a certain undesignated portion of the Property which the Owner wishes to designate as a Parcel pursuant to Section 15(c) of the Declaration; and

WHEREAS, the Owner desires to correct certain typographical errors in the legal descriptions in Exhibit E and Exhibit G of the Declaration.

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. The Declaration is hereby amended to designate as Parcels the portions of the Property, as legally described in Schedule A attached hereto, pursuant to the terms of the Declaration.
2. Exhibit E attached to the Declaration is hereby deleted and Exhibit E attached hereto is hereby substituted therefore.
3. Exhibit G attached to the Declaration is hereby deleted and Exhibit G attached hereto is hereby substituted therefore.

BOX 333-CTI

Handwritten notes: "fall" (top left), "76-12-209 DB" (left margin), "9" (right margin)

UNOFFICIAL COPY

98949287

4. Except as expressly amended hereby, the Declaration shall remain in full force and effect in accordance with its terms. This First Amendment shall be effective from and after the recording of this document with the Recorder of Deeds of Cook County, Illinois.

IN WITNESS WHEREOF, the Owner has caused this instrument to be duly executed on the day and year first above written.

DAN MELK DEVELOPMENT/MCL FULLERTON
ALTGELD L.P., an Illinois limited partnership

By: MCL Companies of Chicago, Inc., its
general partner

By: 
Daniel E. McLean, President

ATTEST: 
Marilyn Walsh, Secretary

Property of Cook County Clerk's Office

ACKNOWLEDGMENTS

STATE OF ILLINOIS)
) SS
COUNT OF COOK)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Daniel E. McLean, President and Marilyn Walsh, Secretary, of MCL COMPANIES OF CHICAGO, INC., are personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such President and Secretary they signed and delivered the said instruments as President and Secretary of said corporation pursuant to authority given by the Board of Directors of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation as general partner of Dan Melk Development/MCL Fullerton Altgeld L.P., an Illinois limited partnership, for the uses and purposes therein set forth.

Given under my hand and official seal this 31st of July, 1998.

Rebecca Bialek
Notary Public



CONSENT OF MORTGAGEE

First of America Bank-Illinois, N.A., holder of a note secured by a mortgage on the Property dated April 30, 1996 and recorded with the Recorder of Deeds of Cook County, Illinois, on May 7, 1996 as Document No. 96346439, hereby consents to the execution of and recording of the above and foregoing First Amendment to Declaration of Easements, Restrictions, and Covenants.

IN WITNESS WHEREOF, the said Bank has caused this instrument to be signed by its duly authorized officers on its behalf on this 31st day of July, 1998.

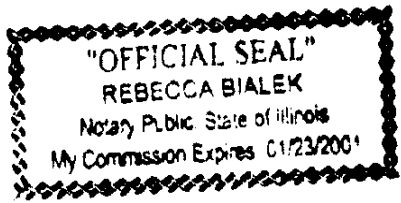
By
Its:

David A Smith
VICE PRESIDENT

STATE OF ILLINOIS)
) SS.
COUNTY OF)

I, Rebecca Bialek, a Notary Public in and for said County and State, do hereby certify that David Smith, the Vice-President of First America Bank-Illinois, N.A., personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Vice-President and appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 31st day of July, 1998.



Rebecca Bialek
Notary Public

UNOFFICIAL COPY

98949287

SCHEDULE A

That part of Lot 9 in County Clerk's Division of Block 43 in Sheffield's Addition to Chicago in the Southwest Quarter of Section 29, Township 40 North, Range 14 East of the Third Principal Meridian, described as follows commencing at the Southwest Corner of the East 132.10 feet of Lot 9, thence South $89^{\circ} 39' 51''$ East along the South line 18.78 feet; Thence North $00^{\circ} 00' 40''$ East parallel with the East line of said Lot for a distance of 388.11 feet to the point of beginning; Thence South $89^{\circ} 59' 20''$ East 52.0 feet; Thence North $00^{\circ} 00' 40''$ East 18.50 feet; Thence North $89^{\circ} 59' 20''$ West 52.0 feet; Thence South $00^{\circ} 00' 40''$ West 18.50 feet to the point of beginning, in Cook County, Illinois.

and

That part of Lot 9 in County Clerk's Division of Block 43 in Sheffield's Addition to Chicago in the Southwest Quarter of Section 29, Township 40 North, Range 14 East of the Third Principal Meridian, described as follows commencing at the Southwest Corner of the East 132.10 feet of Lot 9, thence South $89^{\circ} 39' 51''$ East along the South line 18.78 feet; Thence North $00^{\circ} 00' 40''$ East parallel with the East line of said Lot for a distance of 332.61 feet to the point of beginning; Thence South $89^{\circ} 59' 20''$ East 52.0 feet; Thence North $00^{\circ} 00' 40''$ East 18.50 feet; Thence North $89^{\circ} 59' 20''$ West 52.0 feet; Thence South $00^{\circ} 00' 40''$ West 18.50 feet to the point of beginning, in Cook County, Illinois.

UNOFFICIAL COPY

98949287

EXHIBIT E

Parcels

Legal Descriptions of the Parcels are described as follows:

Parcel 1

That part of Lot 9 in County Clerks Division of Block 43 in Sheffield's Addition to Chicago in the Southwest Quarter of Section 29, Township 40 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the Southwest corner of the East 132.10 feet of Lot 9; Thence South $89^{\circ} 39' 51''$ East along the South line 18.78 feet; Thence North $00^{\circ} 00' 40''$ East parallel with the East line of said Lot for a distance of 313.90 feet; Thence South $89^{\circ} 59' 20''$ East 35.50 feet; Thence North $00^{\circ} 00' 40''$ East 8.0 feet; Thence South $89^{\circ} 59' 20''$ East 8.33 feet; Thence North $00^{\circ} 00' 40''$ East 2.0 feet; Thence South $89^{\circ} 59' 20''$ East 18.50 feet to the point of beginning; Thence North $00^{\circ} 00' 40''$ East 11.50 feet; Thence South $89^{\circ} 59' 20''$ East 40 feet; Thence South $00^{\circ} 00' 40''$ West 32.65 feet; Thence North $89^{\circ} 59' 20''$ West 19.58 feet; Thence South $00^{\circ} 00' 40''$ West 1.35 feet; Thence North $89^{\circ} 59' 20''$ West 19.75 feet; Thence North $00^{\circ} 00' 40''$ East 22.50 feet; Thence North $89^{\circ} 59' 20''$ West 0.67 feet to the point of beginning, in Cook County, Illinois.

Parcel 2

That part of Lot 9 in County Clerks Division of Block 43 in Sheffield's Addition to Chicago in the Southwest Quarter of Section 29, Township 40 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the Southwest corner of the East 132.10 feet of Lot 9; Thence South $89^{\circ} 39' 51''$ East along the South line 18.78 feet; Thence North $00^{\circ} 00' 40''$ East parallel with the East line of said Lot for a distance of 313.90 feet; Thence South $89^{\circ} 59' 20''$ East 11.0 feet to the point of beginning; Thence continue South $89^{\circ} 59' 20''$ East 24.50 feet; Thence North $00^{\circ} 00' 40''$ East 8.0 feet; Thence South $89^{\circ} 59' 20''$ East 8.33 feet; Thence North $00^{\circ} 00' 40''$ East 2.0 feet; Thence South $89^{\circ} 59' 20''$ East 19.17 feet; Thence South $00^{\circ} 00' 40''$ West 22.50 feet; Thence North $89^{\circ} 59' 20''$ West 52.0 feet; Thence North $00^{\circ} 00' 40''$ East 12.50 feet to the point of beginning, in Cook County, Illinois.

Parcel 3

That part of Lot 9 in County Clerks Division of Block 43 in Sheffield's Addition to Chicago in the Southwest Quarter of Section 29, Township 40 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the Southwest corner of the East 132.10 feet of Lot 9; Thence South $89^{\circ} 39' 51''$ East along the South line 18.78 feet; Thence North $00^{\circ} 00' 40''$ East parallel with the East line of said Lot for a distance of 313.90 feet to the point of beginning; Thence South $89^{\circ} 59' 20''$ East 35.50 feet; Thence North $00^{\circ} 00' 40''$ East 8.0 feet; Thence South $89^{\circ} 59' 20''$ East 2.50 feet; Thence North $00^{\circ} 00' 40''$ East 10.71 feet; Thence North $89^{\circ} 59' 20''$

West 38.0 feet; Thence South $00^{\circ} 00' 40''$ West 18.71 feet to the point of beginning, in Cook County, Illinois.

Parcel 4

That part of Lot 9 in County Clerks Division of Block 43 in Sheffield's Addition to Chicago in the Southwest Quarter of Section 29, Township 40 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the Southwest corner of the East 132.10 feet of Lot 9; Thence South $89^{\circ} 39' 51''$ East along the South line 18.78 feet; Thence North $00^{\circ} 00' 40''$ East parallel with the East line of said Lot for a distance of 369.61 feet to the point of beginning; Thence South $89^{\circ} 59' 20''$ East 52.0 feet; Thence North $00^{\circ} 00' 40''$ East 18.50 feet; Thence North $89^{\circ} 59' 20''$ West 52.0 feet; Thence South $00^{\circ} 00' 40''$ West 18.50 feet to the point of beginning, in Cook County, Illinois.

Parcel 5

That part of Lot 9 in County Clerk's Division of Block 43 in Sheffield's Addition to Chicago in the Southwest Quarter of Section 29, Township 40 North, Range 14 East of the Third Principal Meridian, described as follows commencing at the Southwest Corner of the East 132.10 feet of Lot 9, thence South $89^{\circ} 39' 51''$ East along the South line 18.78 feet; Thence North $00^{\circ} 00' 40''$ East parallel with the East line of said Lot for a distance of 388.11 feet to the point of beginning; Thence South $89^{\circ} 59' 20''$ East 52.0 feet; Thence North $00^{\circ} 00' 40''$ East 18.50 feet; Thence North $89^{\circ} 59' 20''$ West 52.0 feet; Thence South $00^{\circ} 00' 40''$ West 18.50 feet to the point of beginning, in Cook County, Illinois.

Parcel 6

That part of Lot 9 in County Clerk's Division of Block 43 in Sheffield's Addition to Chicago in the Southwest Quarter of Section 29, Township 40 North, Range 14 East of the Third Principal Meridian, described as follows commencing at the Southwest Corner of the East 132.10 feet of Lot 9, thence South $89^{\circ} 39' 51''$ East along the South line 18.78 feet; Thence North $00^{\circ} 00' 40''$ East parallel with the East line of said Lot for a distance of 332.61 feet to the point of beginning; Thence South $89^{\circ} 59' 20''$ East 52.0 feet; Thence North $00^{\circ} 00' 40''$ East 18.50 feet; Thence North $89^{\circ} 59' 20''$ West 52.0 feet; Thence South $00^{\circ} 00' 40''$ West 18.50 feet to the point of beginning, in Cook County, Illinois.

Addresses

Parcel

- Parcel 1 1351 W. Altgeld # 1L
- Parcel 2 1351 W. Altgeld # 1K
- Parcel 3 1351 W. Altgeld # 1J
- Parcel 4 1351 W. Altgeld # 1G
- Parcel 5 1351 W. Altgeld # 1F
- Parcel 6 1351 W. Altgeld # 1I

part of # 14-29-321-030-0000

Property of Cook County Clerk's Office

EXHIBIT G

Additional Property

That part of Lots 8 and 9 in County Clerk's Division of Block 43 in Sheffield's Addition to Chicago in the Southwest Quarter of Section 29, Township 40 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the intersection of the North line of West Fullerton Avenue with the West line of the East 32.0 feet of Lot 8; Thence North $00^{\circ} 01' 25''$ East along the West line of the East 32.0 feet of Lot 8 aforesaid 131.57 feet to the point of beginning; Thence South $89^{\circ} 59' 20''$ West 213.83 feet; Thence North $00^{\circ} 00' 40''$ East 154.92 feet; Thence South $89^{\circ} 59' 20''$ East 213.86 feet to the West line of the East 32.0 feet of Lot 8 aforesaid; Thence South $00^{\circ} 01' 25''$ West along said line 154.92 feet to the point of beginning, in Cook County, Illinois.

ALSO

That part of Lots 8 and 9 in County Clerk's Division of Block 43 in Sheffield's Addition to Chicago in the Southwest Quarter of Section 29, Township 40 North, Range 14, East of the Third Principal Meridian, described as follows: beginning at the intersection of a line 137.0 feet South of the South line of West Altgeld Street with a line 4.90 feet West of and parallel with the East line of Lot 9; Thence South $00^{\circ} 00' 40''$ West along said parallel line 172.83 feet; Thence South $89^{\circ} 59' 20''$ East 102.33 feet; Thence North $00^{\circ} 00' 40''$ East 172.32 feet to a line 137.0 feet South of the South line of West Altgeld Street; Thence North $89^{\circ} 42' 02''$ West parallel with the South line of West Altgeld Street 102.33 feet to the point of beginning, in Cook County, Illinois.

ALSO

That part of Lot 8 and part of the East 132.10 feet of Lot 9 in County Clerk's Division of Block 43 in Sheffield's Addition to Chicago in the Southwest Quarter of Section 29, Township 40 North, Range 14, East of the Third Principal Meridian, described as follows: beginning at the intersection of the East line of Lot 9 being the West line of Lot 8 with a line 121.0 feet South of and parallel with the North line of Lot 8; Thence South $89^{\circ} 42' 02''$ East parallel with the North line of Lot 8 for a distance of 132.64 feet to the East line of Lot 8; Thence South $00^{\circ} 01' 25''$ East along the East line of Lot 8 for a distance of 111.92 feet; Thence North $89^{\circ} 41' 29''$ West 32.0 feet to the West line of the East 32.0 feet of Lot 8; Thence South $00^{\circ} 01' 25''$ West 76.38 feet; Thence North $89^{\circ} 59' 20''$ West 3.12 feet; Thence North $00^{\circ} 00' 40''$ East 172.32 feet; Thence North $89^{\circ} 42' 02''$ West 97.48 feet to the West line of Lot 8; Thence North $00^{\circ} 00' 33''$ East along said West line 16.0 feet to the point of beginning, in Cook County, Illinois.